IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

FRIDAY, THE EIGHTEENTH DAY OF JUNE
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 25847 of 2000

Between:

1 E.Ramamurthy S/o.T.Eshwaraiah
Working as Flower Tiers in the office of the Garden Superintendent , TTD , Tirumala Tirupathi
Chittoor Dist.

2 D.Eshwaraiah S/o S/o.D.Ramaiah
Working as Flower Tiers in the office of the Garden Superintendent , TTD , Tirumala Tirupathi
Chittoor Dist.

3 K.Surendere s/o.Kanchaswamy Vediyar
Working as Flower Tiers in the office of the Garden Superintendent , TTD , Tirumala Tirupathi
Chittoor Dist.

4 N.Manavalaiah s/o.LS.Narayana
Working as Flower Tiers in the office of the Garden Superintendent , TTD , Tirumala Tirupathi
Chittoor Dist.

5 M.Krishna Murthy s/o.L.S. Narayana
Working as Flower Tiers in the office of the Garden Superintendent , TTD , Tirumala Tirupathi
Chittoor Dist.

..... PETITIONERS

AND

The Tirumala Tirupati Devasthanams, Rep by its Executive Officer
Tirumala Hills, Tirupathi, Chittoor dist.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to / May be pleased to issue an order or direction more particularly one in the nature of writ of Mandamus declaring the action of the respondents in not paying wages on par with the regular flower tiers as illegal, arbitrary inspite of the finding given by the Hon'ble Labour Court in M.P.No.62/96 Dt: 25-3-97 and further direct the respondents to pay the wages on par with the regular flower tiers from 1-8-94 and pass such other order or orders.

Counsel for the Petitioners: MR.P.RAGHAVENDRA REDDY

Counsel for the Respondent : MR.A.K.JAYAPRAKASH RAO

The Court Made the Following :

ORDER :

This Writ Petition is filed seeking a declaration that the action of the respondent – Tirumala Tirupathi Devasthanams in not paying the wages to the petitioners on par with the regular Flower Tiers in spite of the findings recorded by the Industrial Tribunal-cum-Labour Court, Ananthapur in M.P.No.62 of 1994 as arbitrary or illegal and for a consequential direction for payment of wages on par with the regular Flower Tiers with effect from 01-08-1994.

Heard both sides.

It is to be noted that the claim of the petitioners in this writ petition is based on the order of the Labour Court dated 25-03-1997 in M.P.No.62 of 1994 whereunder the Labour Court recorded a finding that the petitioners have been discharging the duties of the Flower Tiers and the respondent was directed to pay the difference of wages to the petitioners from 01-04-1984. The said order in M.P.No.62 of 1994 is the subject matter of W.P.No.17802 of 1997 filed by the T.T.D. / respondent herein. After hearing both sides, W.P.No.17802 of 1997 has been allowed by this Court to-day by a separate order and the order in M.P.No.62 of 1994 has been set aside leaving it open to the respondents therein i.e., the petitioners in this writ petition to work out the appropriate remedy as available under law. Since the order in M.P.No.62 of 1994 which forms basis for the relief sought in this writ petition is set aside, nothing remains for adjudication on merits and the writ petition is rendered infructuous.

Accordingly, Writ Petition is dismissed. No costs.

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18th June, 2004.

Gbs

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To
1. The Executive Officer, Tirumala Tirupati Devasthanams,
Tirumala Hills, Tirupathi, Chittoor dist.

2.2CCs to Standing Counsel for T.T.D.
3.2CD copies

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